



BEST AVAILABLE COPY Express Mail No. EL 716465655 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/598,304 Confirmation No. 7242
Applicant : ATA, MASAFUMI et al.
Filing Date : June 21, 2000
TC/A.U. : 1762
Examiner : CHEN, Bret P.
Title : CARBONACEOUS COMPLEX STRUCTURE AND
MANUFACTURING METHOD THEREFOR

Docket No. : 9793822.0013
Customer No. : 26263

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

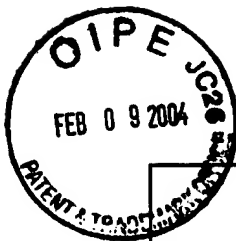
Dear Sir:

**PRELIMINARY AMENDMENT AND
RESPONSE TO SEPTEMBER 9, 2003 FINAL OFFICE ACTION**

Responsive to the Office Action dated June 25 2003, Applicant respectfully requests entry of the accompanying Request for Continued Examination and the following preliminary amendment:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.



61

02-10-04

RCE/1762

BEST AVAILABLE COPY

+

| | | |
|--|----------------------|---------------|
| REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number | 09/598,304 |
| | Filing Date | 06/21/2000 |
| | First Named Inventor | ATA, MASAFUMI |
| | Art Unit | 1762 |
| | Examiner Name | CHEN, Bret P. |
| | Attorney Docket No. | 09793822.0013 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on ____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____
- iii. ☐ Other ____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other ____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-3140
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other All fees, including IDS and extension fees, required in this application
- b. ☐ The enclosed check in the amount of \$ ____ covers the total claim fee and other applicable fees.
- c. ☒ Payment by credit card (Form PTO-2038 is enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

| | |
|--|------------------------------------|
| SIGNATURE OF ATTORNEY | |
| Correspondence Address: <input checked="" type="checkbox"/> Customer No. 26263 | <i>Lara Dickey Lewis</i> |
| Dated: February 9, 2004 | Lara Dickey Lewis, Reg. No. 48,161 |

02/11/2004 CNGUYEN 00000086 09598304

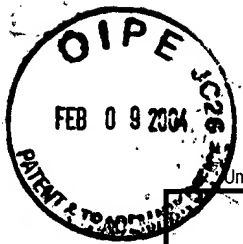
01 FC:1801

770.00 DP

02/11/2004 CNGUYEN 00000086 09598304

03 FC:1806

180.00 DP



BEST AVAILABLE COPY

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**Certificate of Mailing by EXPRESS MAIL
under 37 CFR 1.10**

I hereby certify that the following documents:

RCE Transmittal (1 pg); Petition for Extension of Time Under 37 CFR 1.136(a)
(1 pg) + One Copy; Credit Card Payment Form for the amount of \$1370.00 (1
pg.); Amendment (9 pgs); Information Disclosure Statement (1 pg); Copy of
WO98/42619 (13 pgs); Return Receipt Postcard

are being deposited with the United States Postal as "Express Mail Post Office to
Addressee" and addressed to:

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

On February 9, 2004
Date

Connie A. Mills
Signature

Connie A. Mills
Typed or printed name of person signing Certificate

EL 716465655 US
EXPRESS MAIL NO.

Note: Each paper must have its own certificate of mailing by Express Mail, or this
certificate must identify each submitted paper.

Docket No. 09793822.0013